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12 Attorneys for Plaintiff, U.S. Bank National Association,  
13 as Trustee, Successor in Interest to Bank of America  
14 National Association as Successor by Merger  
15 to Lasalle Bank National Association as Trustee  
16 for Certificateholders of Bear Stearns Asset  
17 Backed Securities I LLC Asset-Backed  
18 Certificates Series 2005-HE8

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

15 U.S. BANK NATIONAL ASSOCIATION, AS  
16 TRUSTEE, SUCCESSOR IN INTEREST TO  
17 BANK OF AMERICA NATIONAL  
18 ASSOCIATION AS SUCCESSOR BY  
19 MERGER TO LASALLE BANK NATIONAL  
20 ASSOCIATION AS TRUSTEE FOR  
CERTIFICATEHOLDERS OF BEAR STEARNS  
ASSET BACKED SECURITIES I LLC ASSET-  
BACKED CERTIFICATES SERIES 2005-HE8,

**CASE NO.: 2:16-cv-02158-RFB-NJK**

**STIPULATION RE: U.S. BANK'S  
OPPOSITION TO DEFENDANT  
MOUNTAIN GATE AT SUNRISE  
MOUNTAIN HOA'S MOTION TO  
DISMISS FIRST AMENDED  
COMPLAINT**

**[FIRST REQUEST]**

21 Plaintiff,

22 v.

23 LVDG, LLC, a Nevada limited liability company;  
24 MOUNTAIN GATE HOMEOWNERS  
ASSOCIATION, a Nevada non-profit  
corporation; MOUNTAIN GATE AT SUNRISE  
25 MOUNTAIN HOMEOWNERS'  
ASSOCIATION, a Nevada non-profit  
corporation; MELINDA HARRIS, an individual,  
26 EXCELL HARRIS, an individual,  
27

28 Defendants.

1 Plaintiff U.S. Bank National Association, solely as Trustee, Successor in Interest to  
 2 Bank of America National Association as Successor by Merger to Lasalle Bank National  
 3 Association as Trustee for Certificateholders of Bear Stearns Asset Backed Securities I LLC  
 4 Asset-Backed Certificates Series 2005-HE8, ("U.S. Bank, as Trustee"), by and through its  
 5 counsel of record Kent Larsen, Esq. and Christopher Benner, Esq. of the law firm of Smith  
 6 Larsen & Wixom, and Defendant Mountain Gate at Sunrise Mountain HOA, ("Sunrise") by  
 7 and through its counsel of record Kaleb. D. Anderson, Esq. and Julie A. Funai, Esq., of the  
 8 law firm of Lipson, Neilson, Cole, Seltzer & Garin, P.C., agree and stipulate as follows:  
 9

10

- 11 1. Sunrise filed the Motion to Dismiss First Amended Complaint ("the Motion")  
 12 on November 10, 2016 [Dkt. #18];
- 13 2. U.S. Bank's Opposition to the Motion is due November 27, 2016.
- 14 3. Due to the intervening holiday and previously arranged travel, U.S Bank's  
 15 counsel has requested, and Sunrise has agreed to, a proposed extension of the  
 16 above deadline to December 2, 2016.

17 THEREFORE, the above-referenced parties stipulate as follows:  
 18

- 19 1. U.S. Bank's Opposition to the Motion shall be filed on or before December 2,  
 20 2016; and the Reply brief of Sunrise shall be calendared based upon the actual  
 21 filing date of U.S. Bank's Opposition.
- 22 2. No other calendared dates are being extended at this time.

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1           This is the first request to extend the due date of U.S. Bank's Opposition, and is not  
2 intended to delay these proceedings. This request will not cause any prejudice to the parties  
3 in this matter.  
4

5 **SMITH LARSEN & WIXOM**

6 By:

*/s/ Christopher Benner*

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10           *Attorneys for Plaintiff U.S. Bank*

5 **LIPSON, NIELSON, COLE, SELTZER &  
6 GARIN P.C.**

7 By:

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11           *Attorneys for Defendant Mountain Gate  
12 at Sunrise Mountain HOA*

13           **ORDER**

14           **IT IS SO ORDERED:**

15           

16           RICHARD F. BOULWARE, II

17           United States District Judge

18           DATED this 29th day of November, 2016.

25           U.S. Bank N.A. v. LVDG, LLC  
26 2:16-cv-02158-RFB-NJK

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